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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Donald R. OWEN et al.

Application No.: 09/537,180

Filed: March 29, 2000

Group Art Unit: 1651

Examiner: S. SAUCIER

Docket No.: WPB40219A

For: APPARATUS AND METHOD FOR MAINTAINING AND/OR RESTORING  
VIABILITY OF ORGANS

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

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Sir:

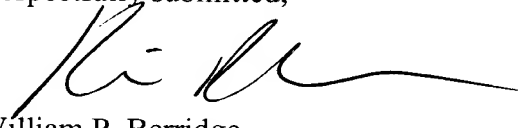
In reply to the February 4, 2003 Restriction Requirement, Applicants provisionally elect Group I, claims 224-267, with traverse.

It is also respectfully submitted that the subject matter of all claims 224-292 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all the claims in this application.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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WPB:KMM/jfl

Date: March 4, 2003

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